

REMARKS

This is in response to the Office Action of July 6, 2011 in connection with this matter. With this response, claim 1 is amended and all pending claims 1-6 are presented for reconsideration and favorable action.

In the Office Action, a typographical error in claim 1 was noted. That claim is amended and it is believed the objection may be withdrawn.

The claims were rejected based upon Stafford US5763118 in view of Isazaki et al. US2002/0113685 and Maggert et al. US6724170 and further in view of Toyoda JP2001-243927. However, it is believed the amended claims are patentably distinct from these references.

With this response, claim 1 has been amended to clarify that the separation bars are positioned at the end of adjacent pairs of energy storage cells and between the electrical inner connects. These are illustrated, for example, in Figure 5 as elements 82, 84, 86 and 88. Figure 5 also shows electrical inter connects 62 and 64. This configuration is different from the configuration shown in the cited Maggert et al. reference. For this reason, the rejection should be withdrawn.

Further, claim 1 has been amended to clarify the thermo insulating material has a thermal conductivity which is less than the thermal conductivity of the inner layer. As described in the specification, this configuration allows the inner layer to efficiently draw thermal energy away from the batteries while the outer layer provides thermal insulation from this heat against the surrounding environment. Stafford is cited as showing this configuration. However, the cited outer layer 48 in Stafford is specifically described as comprising heat conducting fibers (see column 5, line 30). Thus, Stafford teaches the opposite configuration in the pending claims.

The addition of Saitoh et al. US5985480 (see section 6 of the Office Action) does not overcome the shortcomings of the other references. The cited "insulating protector '9'" shown in Saitoh is simply an insulator. This is different from the configuration set forth in claim 1 in which the elongate separation bars extend from the outer shell. Further, this is different than the invention as set forth in claim 1 in which these separation bars which extend from the outer shell slide between the electrical inner connects and the ends of pairs of adjacent electrical energy storage

cells. (Referring to Figure 4, the outer shell is shown as element 80 with separation bars 82, 84, 86 and 88 extending therefrom).

It is believed that with the additional clarifying language, and in view of the above remarks, it should be clear that the cited references do not show all of the elements of the claimed invention. Consideration and favorable action are respectfully requested.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue, or comment, including the Office Action's characterizations of the art, does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment or cancellation of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment or cancellation. Applicant reserves the right to prosecute the rejection claims in further prosecution of this or related applications.

In view of the above amendments and remarks, it is believed that the present application is in condition for allowance. Consideration and favorable action are respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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